

REMARKS

Claims 17 - 23 are pending the application; all claims stand rejected. Claims 17 and 20 have been amended and new claims 24 - 27 have been added. These amendments and new claims add no new matter to the application, and the new claims do not exceed the claims originally paid for. It is also believed that the new method claims are in the same subject matter family as the originally filed system claims, and are presented at the suggestion of the Examiner, with the expectation that no new fields of search will be required and are therefore appropriate for examination at this time without restriction.

The undersigned acknowledges a telephone interview with the Examiner on 7/10/08; all claims were discussed with reference to the Quackenbush citation; no agreement was reached.

New claims 24-25 are now presented, as suggested by the Examiner, to include limitations from Figures 5-7 and the corresponding specification that require a family profile input and modification process and a luggage profile input and modification process respectively. As the Examiner says, Quackenbush does not have these features and no combination of cited references teaches them. Claims 24-25 are therefore believed to be allowable.

New method claims 26 and 27 are presented at the suggestion of the Examiner as being narrower than the corresponding system claims 17 and 19, and are therefore believed to distinguish over the cited references.

Claims 26-27 present novel sequences of process steps that are nowhere suggested in the cited references, namely:

- a. running a luggage transport server application on at least one computer server connected to the distributed network;

- b. a plurality of luggage carriers each running at least one online service server application to provide access to luggage services over the distributed network to a plurality of users;
- c. the plurality of luggage carriers also each running at least one luggage transport client application interoperably connected with the luggage transport server application over the distributed network;
- d. the luggage transport server application receiving and storing data related to a luggage travel segment from at least one of the plurality of users;
- e. programmatically matching the luggage travel segment to one or more selected luggage carriers;
- f. outputting data for the matching luggage travel segment to the selected luggage carriers.
- g. receiving and storing bid data related to the luggage travel segment from the selected luggage carriers;
- h. outputting bid data for the luggage travel segment to the user;
- i. receiving and storing bid acceptance data for a selected luggage carrier from the user;
- j. outputting bid acceptance data to the selected luggage carrier.

It is believed that this novel process is now allowable.

The original claims 17-23 as again amended are also believed now to distinguish over the cited art.

As a result of a telephone Interview with the Examiner on 11/8/07, amendments were made to all instances of "service partner" clarifying them to "luggage carrier" to make clear that the party that is required to have the luggage transport client application is the actual luggage carrier,

not some intermediary, and to make explicit that this luggage transport client application on the luggage carrier's computer is the one that interacts with the luggage transport service site's luggage transport server application. We believed at the time that such amendments would be effective to distinguish over the cited art.

But Claims 17 - 23 again stand rejected under 35 USC §103(a) as being allegedly obvious over Quackenbush in view of Lanigan and Barni; Applicant again respectfully traverses these rejections. However, and without prejudice to Applicant's right to further assert unamended or differently amended claims in subsequent prosecutions, Applicant has carefully considered the Examiner's final action comments and the recommendations to Applicant in the 7/10/08 Interview, and has therefore now amended independent claims 17 and 20 to clarify in a structural way that the luggage transport client application on each luggage carrier's computer interacts with (must be operably connected with) the luggage transport service site's luggage transport server application.

The amended the claims eliminate any ambiguity, and require that the luggage transport service site (BaggageDirect or MySkyCap) must somehow provide transport of the luggage.

Quackenbush teaches (again, please recall that Quackenbush refers to the entity which picks up a traveler's luggage as a Ground Delivery Operator or GDO, while Applicant refers to them as luggage carriers):

Quackenbush, at col. 3, lines 13-17, says, "Baggage 202 is picked up by a Ground Delivery Operator (GDO) from origin location 204. The baggage may be checked by the GDO at the origin location 204, or transported and checked on behalf of its owner at origin airport 206."

Again, Applicant goes a very different route in providing transport of the baggage. The claims require "each luggage carrier's associated computer also running at least one luggage transport client application..."

Again, it is emphasized that nowhere in Quackenbush is it taught that the Ground Delivery Operator has (1) a web site, (2) a server application to provide online service to users over the distributed network or (3) a luggage transport client application. In fact Quackenbush teaches away from such a set of limitations by emphasizing the sufficiency of his own scheme.

In contrast, Barni only teaches "a given server in the computer network operates a web site at which a plurality of freight forwarders/carriers may publish rates in a centralized location." [Barni, col. 3, lines 36-38]. The interaction between Barni's freight forwarders and carriers and the "computer program [singular] operative at a web server" [Barni, col. 3, lines 65-66] is accomplished through the freight forwarders and carriers accessing the single web site and manually posting their rates [Barni, col. 5, lines 19-21], or by emails sent out to the freight forwarders and carriers [Barni col. 6, lines 13-15]. Thus Barni actually teaches that it is advantageous not to have client applications running on the freight forwarders and carriers computer systems. Barni therefore does not teach, and even teaches away from, that each luggage carrier must run a client application on the luggage carrier computer which interacts with a luggage transport server application on the luggage transport service site, and the claims therefore do not read upon Barni, or any combination of the art.

Turning to Lanigan, the only mention in the entirety of Lanigan's application of a computer is in Figure 5 and paragraph [0035] where a computer is only used to sort bags according to the reading of a radio frequency tag. Thus Lanigan also does not teach that each luggage carrier have: 1) a web site; 2) a server application to provide online service to users over the distributed network; and 3) a luggage transport client application which interacts with a luggage transport server application, and it is thus believed to be clear that the claims, at least as amended, do not read upon Lanigan or any combination of the art.

It is believed that Quackenbush, Lanigan and Barni, neither singly, nor together, contain all of the limitations of the claims, at least as currently amended. Also dependent Claims 18, 19, 21-25 and 27 necessarily incorporate all the limitations of the independent claims from which they depend, and therefore therefore also do not read on Quackenbush, Lanigan and Barni.

Applicant believes that it has responded fully to all of the concerns expressed by the Examiner in the Final Action, and respectfully requests entry and examination of new claims and reexamination of all rejected claims and early favorable action on all claims. Applicant requests that the Examiner allow an Interview with the undersigned prior to any action on the case. Applicant's attorney Patrick Dwyer may be reached at (206) 550-4049 to arrange this Interview.

Respectfully submitted,



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